



AGENDA
CUYAHOGA COUNTY EDUCATION, ENVIRONMENT & SUSTAINABILITY COMMITTEE MEETING
WEDNESDAY, APRIL 17, 2019
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
3:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

4. APPROVAL OF MINUTES FROM THE APRIL 4, 2019 MEETING

5. MATTERS REFERRED TO COMMITTEE

- a) O2019-0005: An Ordinance enacting Chapter 1304 of the Cuyahoga County Code to implement a Disposable Bag Ban.

- b) O2019-0006: An Ordinance amending Section 804.01(C)(1) of the Cuyahoga County Code to expand the list of eligible institutions of the Post-secondary College or University Scholarship Program from those located within Cuyahoga County to those located within the State of Ohio, and declaring the necessity that this Ordinance become immediately effective.

6. MISCELLANEOUS BUSINESS

7. ADJOURNMENT

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



MINUTES

CUYAHOGA COUNTY EDUCATION, ENVIRONMENT & SUSTAINABILITY COMMITTEE MEETING
THURSDAY, APRIL 4, 2019
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
1:00 PM

1. CALL TO ORDER

Chairwoman Simon called the meeting to order at 1:06 p.m.

2. ROLL CALL

Ms. Simon asked Deputy Clerk Carter to call the roll. Committee members Simon, Brown and Jones were in attendance and a quorum was determined. Committee member Brady entered the meeting after the roll-call was taken. Committee member Stephens was absent from the meeting.

3. PUBLIC COMMENT

There were no public comments given.

4. APPROVAL OF MINUTES FROM THE MARCH 20, 2019 MEETING

A motion was made by Ms. Simon, seconded by Ms. Brown and approved by unanimous vote to approve the minutes from the March 20, 2019 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2019-0077: A Resolution making an award to College Now Greater Cleveland in the amount of \$500,000.00 from the Cuyahoga County Educational Assistance Fund for Component Two of the Cuyahoga County Educational Assistance Program for the period ending 6/30/2023; authorizing

the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Ms. Lee Friedman, Chief Executive Officer of College Now Greater Cleveland; and Mr. Robert Durham, Senior Director of Scholarship Services and Financial Aid of College Now Greater Cleveland, addressed the Committee regarding Resolution No. R2019-0077. Discussion ensued.

Committee members asked questions of Ms. Friedman and Mr. Durham pertaining to the item, which they answered accordingly.

On a motion by Ms. Brown with a second by Mr. Jones, Resolution No. R2019-0077 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

- b) R2019-0088: A Resolution making an award on RQ44122 to Youth Opportunities Unlimited in the amount not-to-exceed \$4,511,760.00 for the Comprehensive Case Management Employment Program – Employment, Education and Training Services for Young Adults for the period 4/1/2019 - 3/31/2020; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. David Merriman, Assistant Director of Health and Human Services; Mr. Frank Brickner, Deputy Director/Chief Financial Officer of Cleveland-Cuyahoga County Workforce Development Board; and Mr. Craig Dorn, President and Chief Executive Officer of Youth Opportunities Unlimited, addressed the Committee regarding Resolution No. R2019-0088. Discussion ensued.

Committee members asked questions of Messrs. Merriman, Brickner and Dorn pertaining to the item, which they answered accordingly.

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2019-0088 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- c) O2019-0004: An Ordinance enacting Chapter 721 of the Cuyahoga County Code authorizing Bicycle and Scooter Share Licensing.

Ms. Simon introduced a proposed substitute to Ordinance No. O2019-0004. Discussion ensued.

Mr. Michael Foley, Director of the Department of Sustainability, addressed the Committee regarding Ordinance No. O2019-0004. Discussion ensued.

Committee members asked questions of Mr. Foley pertaining to the item, which he answered accordingly.

A motion was then made by Ms. Simon, seconded by Ms. Brown and approved by unanimous vote to accept the proposed substitute.

Mr. Jay Dumaswala, Cleveland Market Manager for Lyft; and Mr. Joziah Spargo, representing UHBikes, addressed the Committee regarding Ordinance No. O2019-0004. Discussion ensued.

Committee members asked questions of Messrs. Dumaswala and Spargo pertaining to the item, which they answered accordingly.

Mr. Dumaswala provided the Committee with a demonstration of a scooter.

On a motion by Ms. Simon with a second by Mr. Jones, Ordinance No. O2019-0004 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading, as substituted.

6. MISCELLANEOUS BUSINESS

Mr. Foley and Ms. Simon thanked Stephanie Choi for her contributions to the Department of Sustainability as well as congratulated her on her future endeavors.

Ms. Simon gave an update on climate change and the impact on the Great Barrier Reef.

7. ADJOURNMENT

With no further business to discuss, Chairwoman Simon adjourned the meeting at 2:11 p.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2019-0005

Sponsored by: Councilmembers Simon and Miller	An Ordinance enacting Chapter 1304 of the Cuyahoga County Code to implement a Disposable Bag Ban.
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WHEREAS, the precipitous increase in plastic production and plastic consumption over the past seventy years has resulted in approximately 269,000 tons of globally distributed plastic waste pollution, particularly in oceans, lakes, and other marine waterways; and,

WHEREAS, plastic waste is not bio-degradable and recycled plastic suffers from polymer degradation, limiting its useful life as a recyclable material, inevitably resulting in non-biodegradable microplastic particle pollution; and,

WHEREAS, discarded disposable bags are a major source of litter, pollute our open spaces, harm and kill wildlife, clog storm drains resulting in localized flooding, end up as debris in our neighborhoods and waterways, and contributes to blight; and,

WHEREAS, the pollution from disposable bags imposes external cleanup, removal and processing costs on our communities; and,

WHEREAS, Cuyahoga County Council has a compelling public interest in discouraging the wasteful use of disposable bags and mitigating the negative impact disposable bags have on our environment; and,

WHEREAS China has implemented its “National Sword” policy in which it no longer accepts twenty four types of recycled waste including disposable plastic bags, which has substantially diminished the economic viability of, and market for, the recycling of disposable plastic bags across the globe; and

WHEREAS, Cuyahoga County Council desires to combat the polluting effects of and accompanying blight caused by disposable bags on the environment of Cuyahoga County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Chapter 1304 of the Cuyahoga County Code is hereby enacted to read as follows:

CHAPTER 1304: Disposable Bag Ban

Section 1304.01: Definitions: The following definitions shall apply for purposes of Chapter 1304 of the County Code only:

(A) “Disposable Plastic Bag” means a bag made from either non-composable plastic or compostable plastic provided by a Retail Establishment to a customer at point of sale for the purpose of transporting purchased items. Disposable Plastic Bag does not include:

1. a bag the customer brought with them to the Retail Establishment,
2. a newspaper bag,
3. a bag provided by a pharmacist that contains a prescription drug,
4. a bag used to package a bulk item or to contain or wrap a perishable item such as meat, fish, produce, baked goods, or flowers,
5. a bag that a restaurant gives a customer to take prepared or leftover food or drink from the restaurant,
6. a bag intended for use as a dry cleaning, garbage, or yard waste bag,
7. pre-packaged bags used for the collection of pet waste,
8. Non-Permitted Paper Bags and Permitted Paper Bags, as defined in this Chapter,
9. Bags provided to the consumer for the purpose of transporting a partially consumed bottle of wine pursuant to Section 4301.62(E) of the Ohio Revised Code, or
10. a bag provided at curbside pickup or point of delivery.

(B) “Non-Permitted Paper Bag” means a paper bag provided by a Retail Establishment to a customer at a point of sale for the purpose of transporting goods, which does not meet the standard of a “Permitted Paper Bag.”

(C) “Permitted Paper Bag” means a paper bag provided by a Retail Establishment to a customer at the point of sale for the purpose of transporting goods, which meets both of the following requirements:

1. The bag is manufactured from at least 40% recycled content; and
2. The bag is 100% recyclable.

(D) “Retail Establishment” means any supermarket, convenience store, department store, store, shop, service station, or restaurant and any other sales outlets where a customer can buy goods and/or food.

(E) “Reusable Bag” means a bag that is specifically intended for multiple reuse and is made of cloth, fiber, or other machine washable fabric that is at least 2.25 millimeters thick and capable of carrying a minimum of 18 pounds with at least 75 uses per bag.

Section 1304.02: Disposable Bag Ban Imposed

(A) Commencing on October 1, 2019 no Disposable Plastic Bags or Non-Permitted Paper Bags shall be used within Cuyahoga County by any Retail Establishment. Retail Establishments shall offer only a Reusable Bag or a Permitted Paper Bag to a customer at the point of sale for the purpose of transporting goods.

(B) No Retail Establishment shall refuse to allow customers to bring with them and to use their own reusable bag or bags.

(C) Retail Establishments shall encourage customers to bring their own reusable bags and customers who bring their own reusable bags to the Retail Establishment will not be required to use the Retail Establishment’s Disposable Bags nor will they be charged a fee for the use of reusable bags.

Section 1304.03 Penalty

A Retail Establishment found to be in violation of this Chapter shall be subject to a written warning for the first violation, a civil fine of up to \$100 for a second violation, and a civil fine of up to \$500 for each subsequent violation. A separate violation shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Section 1304.04: Enforcement

This Chapter shall be enforced by the Cuyahoga County Department of Consumer Affairs. Any citation for violating this Chapter may be appealed by the Retail Establishment to The Cuyahoga County Debarment Review Board established under Section 205.06 of the Cuyahoga County Code. The Cuyahoga County Debarment Review Board may establish administrative rules and/or procedures to adjudicate any appeals described herein. A determination by the Debarment Review Board may be appealed to the Cuyahoga County Common Pleas Court pursuant to Section 2506 of the Ohio Revised Code.

SECTION 2. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President Date _____

County Executive Date _____

Clerk of Council Date _____

First Reading/Referred to Committee: April 9, 2019
Committee(s) Assigned: Education, Environment & Sustainability

Journal _____
_____, 2019

County Council of Cuyahoga County, Ohio

Ordinance No. O2019-0006

Sponsored by: Councilmember Simon	An Ordinance amending Section 804.01(C)(1) of the Cuyahoga County Code to expand the list of eligible institutions of the Post-secondary College or University Scholarship Program from those located within Cuyahoga County to those located within the State of Ohio, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article III, Section 3.09(11) of the Charter authorizes Council to “establish and provide for the administration of a program to provide scholarships, loans, grants and other forms of financial assistance for residents of the County that will enable them to participate in post-secondary education, including vocational education and job training and retraining;” and

WHEREAS, Section 804.01 of the County Code established the Cuyahoga County Educational Assistance Program; and

WHEREAS, Section 804.01 of the County Code was amended to add an additional component to the Program to authorize an alternative procurement process and to authorize Council to annually designate the amount of budgeted funds to be allocated for each component of the Program; and

WHEREAS, implementation and administration of the Program have highlighted possible design changes to improve the effectiveness of the Program; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Section 804.01(C)(1) of the Cuyahoga County Code is hereby amended to read as follows (additions are bolded and underlined, deletions are stricken):

1. Component Two of the Cuyahoga County Educational Assistance Program provides financial assistance for Cuyahoga County residents

seeking a postsecondary college or university degree at institutions located within ~~Cuyahoga County~~ **the State of Ohio.**

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: April 9, 2019
Committee(s) Assigned: Education, Environment & Sustainability

Journal _____
_____, 20__